

Vacation Rentals

PJR-096

PURPOSE: To summarize the regulations of the Sonoma County Zoning Ordinance for Vacation Rentals.

BACKGROUND: Vacation Rentals are the rental of a private residence for periods of 30 days or less when the owner does not remain in residence during the rental period. Vacation Rentals do not include Bed and Breakfast Inns permitted in accordance with the Sonoma County Code, or occasional home exchanges that are not otherwise subject to Transient Occupancy Tax (TOT). Vacation Rentals also do not include Hosted Rentals of one room (see Sonoma County Code Section 26-88-118). Vacation Rentals must meet Performance Standards to ensure compatibility with surrounding residential uses.

Vacation Rentals may be conducted in homes in single-family residential zoning districts (AR, RR, and R1), commercial districts C2, LC, and K, and in agricultural and resources zones including LIA, LEA, DA, and RRD. Vacation Rentals are not allowed in the higher-density residential districts (R2 and R3) or on lands within an Agricultural Preserve that are subject to a Land Conservation Act (Williamson Act) Contract. Vacation Rentals may not take place in second dwelling units nor in farm family, agricultural employee, farmworker or in non-habitable structures, or non-habitable portions of structures. Cultural events including lawn parties, weddings and similar activities are prohibited in Vacation Rentals.

A Zoning Permit or Use Permit is required for all Vacation Rentals. Vacation Rentals with up to five guest rooms or sleeping areas require a Zoning Permit (see [PJR-001](#)), while larger Vacation Rentals require a Use Permit (see [PJR-010](#)). Vacation Rentals that do not meet one or more of the attached Performance Standards may still be allowed with a Use Permit. Vacation Rentals with five or fewer guest rooms or sleeping areas do not require a Building Permit for change of occupancy; however, larger Vacation Rentals may require a Building Permit for change of occupancy, and must meet accessibility standards under the Building Code.

PROCEDURE: The applicant submits a complete Vacation Rental Zoning Permit application to the Planning Division at the Permit and Resource Management Department (PRMD) zoning cubicle. The Planner verifies that the proposed Vacation Rental will comply with all Performance Standards and requirements (see Sonoma County Code Section 26-88-120). Each applicant and Property Manager must also sign a Vacation Rental Affidavit which is an agreement to comply with the Vacation Rental Performance Standards, and to register with the Sonoma County Treasurer-Tax Collector for payment of TOT. The applicant must provide proof of current TOT payment status from the Sonoma County Treasurer-Tax Collector's office and TOT certificate number. The applicant must also designate and provide contact information for the qualified property manager located within 30 miles who is available 24-hours a day during all rental periods to respond to any issues or complaints. Following review and approval a copy of the approved Vacation Rental Permit, the Vacation Rental Performance Standards for posting inside the unit will be provided to the applicant by mail.

APPLICATION SUBMITTAL MATERIALS: The application must include all of the following:

1. Zoning Permit ([PJR-001](#)) or Use Permit application ([PJR-010](#)) signed by all property owners.
2. An 8" x 11" site plan that clearly identifies all structures on the property and their uses; the access to the property (public road, private road, driveway); the proposed parking; and any outdoor areas that will be made available as part of the Vacation Rental (pool, spa, etc).
3. An 8" x 11" floor plan that identifies all rooms in the home or structures, including the number and location of bedrooms and sleeping areas. Exits must be clearly shown.
4. A completed and signed Vacation Rental Supplemental Application and Affidavit (see attached).
5. A completed and signed Property Report Checklist (see attached)
6. A signed Indemnification Form (PJR-011).
7. Filing fee - see the current PRMD Project Review Fee Schedule.

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue

Santa Rosa, CA95403-2829

(707) 565-1900

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Supplemental Application and Affidavit

Property Name or Fictitious Business Name (if any)	Owner Name
Vacation Rental Address	Address of Property Manager
Property Manager Name or Co. Name	Property Manager 24 hour contact Phone
Property Manager Phone/Owner phone if no Management Co.	Transient Occupancy Tax (TOT) Certificate Number

Proposal (including number and description of structures be specific): _____

Total Number of Guest Rooms Proposed: ____ Number of Parking Spaces: ____ off-street ____ on-street
Maximum Allowable Overnight Occupancy Proposed: ____, not including children under 3 years of age
Maximum Allowable Daytime Occupancy Proposed: ____, not including children under 3 years of age

VACATION RENTAL AFFIDAVIT

This is to acknowledge that I, _____, in applying for a Vacation Rental Permit pursuant to Section 26-88-120 of the Sonoma County Code, do hereby agree to abide by and conform to the Vacation Rental Performance Standards set forth in the approved permit, and all other provisions of the Sonoma County Code pertaining to the conduct of Vacation Rentals. I further acknowledge that a Vacation Rental Permit does not grant an entitlement to the property, but rather to the property owner, which permit automatically expires upon property sale or transfer with no further action required on the part of the County (permit runs with the owner, not with the land).

I understand and agree that the attached Vacation Rental Performance Standards and limitations shall be posted in a prominent place within the Vacation Rental and included as part of all rental agreements, and that all advertising and web listings will conform to these approved occupancy limits and standards.

I hereby also acknowledge that the approval of this Vacation Rental Permit shall in no way permit any activity contrary to the Sonoma County Code, or any activity which would constitute a nuisance under state or local law. I understand and acknowledge that the approval for use of this private residence as a Vacation Rentals are based on my representations to PRMD staff, and does not in any way constitute an evaluation or determination of legal or Legal Non-conforming status of the improvements on this site. I further acknowledge that it is my responsibility, as property owner and/or applicant, to ensure that the conduct of this Vacation Rental is not contrary to any covenant, code or restriction which may govern the property on which the Vacation Rental will be conducted, which property address is referenced above. **I acknowledge that any misrepresentation made by me or by my agent in applying for this permit may render the permit invalid.**

Signature of Property Owner Date _____

Signature of Property Manager or Designated Representative Date _____

VACATION RENTAL PERFORMANCE STANDARDS

1. **Limitations on Structures:** The Vacation Rental may be conducted only within a legally established single-family dwelling and guest house. Two residences may be used if the total number of guest rooms does not exceed five. No more than one Vacation Rental use is allowed per property. When two separate structures are used as a part of the Vacation Rental, they must be rented to the same party. Vacation Rentals are not permitted in a second dwelling unit, farm family, agricultural employee or farmworker unit, nor on property within an Agricultural Preserve under a Land Conservation Act contract.
2. **Guest Rooms:** Vacation Rentals may have a maximum of 5 guestrooms under a Zoning Permit. The approved number of guest rooms will be listed on the Vacation Rental Permit.
3. **Overnight Guests:** Vacation Rentals are limited to a maximum of 2 guests per guestroom plus 2 additional guests per property. This limit will be listed on the Vacation Rental Permit. All advertising must conform to the approved occupancy limits.
4. **Daytime Guests:** In addition to the overnight occupancy limit above, an additional 6 non-registered guests may visit the Vacation Rental during the day. The maximum number of guests allowed at any one time during the day is the overnight occupancy limit +6. Children under 3 years of age are not included in the occupancy limits. Events, lawn parties, weddings or similar activities are prohibited.
5. **Parking Requirements:** Each Vacation Rental must provide at least 1 on-site parking space for a rental with 1 or 2 guestrooms, and at least 2 on-site parking spaces for a Vacation Rental with 3 or 4 guestrooms. Larger Vacation Rentals must demonstrate adequate parking with a minimum of 3 spaces. At the Planner's discretion, on-street parking may be considered to meet a portion of the total parking requirement when the applicant can demonstrate that adequate road capacity and public safety will be maintained. Vacation Rentals are limited to a maximum of 1 vehicle per bedroom.
6. **Sewage Disposal:** A properly functioning sewer connection or septic system must be maintained at all times. For homes on a conditional septic system, the maximum overnight occupancy for Vacation Rentals will be limited to the design load of the septic system.
7. **Quiet Hours:** Quiet hours are from 10:00 p.m. until 7:00 a.m. Outdoor activities during this time must be limited to those that comply with the nighttime noise limits of the General Plan Noise Element. Outdoor amplified sound is prohibited at any time.
8. **Technical Codes:** A Vacation Rental shall comply with all of the Codes adopted by reference at Sonoma County Code Section 7-13 (including the Uniform Building Code, Uniform Plumbing Code, National Electrical Code, Uniform Fire Code, and Uniform Mechanical Code). Certain clearances may be required as determined necessary by the director. The Vacation Rental cannot require any utility services modification that would be classed as commercial or industrial in load or design.
9. **Emergency Contact Information:** The applicant must provide a current 24-hour working phone number of the property owner, property manager or other designated representative who can respond on-site to issues or complaints within 30 minutes. Any changes must be reported to PRMD and all neighbors within 30 days.
10. **Pets:** Vacation Rentals allowing pets must provide a means to ensure that animals are secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
11. **Advertisements:** All listings and advertisements must include the property's TOT certificate number, quiet hours, and maximum number of guests and vehicles.